

BUILDING AND STANDARDS COMMISSION MINUTES

REGULAR MEETING
Wednesday, May 23, 2012

The Building and Standards Commission convened in a regular meeting on Wednesday, May 23, 2012 at 301 West 2nd Street, Austin, Texas.

Chair Ethelynn Beebe called the Commission Meeting to order at 6:35 p.m.

Commission Members in Attendance:

Commission Members in Attendance:
Dr. Ethelynn Beebe, Chair; David Brown, Vice Chair; Tim Hill, Daniel Gonzalez, Stacy Kaplowitz, Charles Cloutman, Steven Alloway

Staff in Attendance:

Staff in Attendance:
Christopher Moore, Commission Coordinator; Sonja Prevo, Commission Coordinator; Steve Ramirez, Assistant Division Manager; Megan Mosby, Assistant City Attorney; Carl Smart, Director; Dan Cardenas, Assistant Director; Terry Hurd, Supervisor; Robert Alvarado, Supervisor; Jonathan Josephson, Supervisor; Terri Roberts, Assistant Division Manager; Maria Kirk, Investigator; Mario Ruiz, Investigator; Malcolm Mills, Investigator; Alicia Tovar, Investigator; Matthew Noriega, Investigator; and Cherilyn Wadley, Budget.

1. CITIZEN COMMUNICATION: GENERAL

a. None

2. APPROVAL OF MINUTES

The minutes from the meeting of April 25, 2012 were approved on Commission Member Tim Hill's motion. Commission Member David Brown second on a 7-0-0 vote.

3. NEW BUSINESS

a. Budget Briefing presentation by Chris Jistel, Carl Smart and Dan Cardenas.

b. Special Meeting called regarding Wood Ridge Apartments on Commission Member Charles Cloutman's motion. Tim Hill seconded on a 7-0-0 vote. The Commission agreed to meet June 4, 2012 at 1520 Rutherford Lane, Bldg. 1.

4. PUBLIC HEARINGS

Commission Coordinator Christopher Moore presented the following cases:

a. CL 2012-045836 310 (aka 308 ½) East 6th Street Craddock Ventures, LLC

310 (aka 308 ½) East 6th Street is an occupied commercial structure. Travis Central Appraisal District shows that Craddock Ventures, LLC is the property owner. This case was represented by the property owner and their representatives.

The City of Austin Code Compliance found that this property is in violation of the International Property Maintenance Code, adopted by reference in sections 25-12-211 et seq. of the Austin City Code and is therefore a public nuisance and dangerous with substandard conditions.

Staff recommended the following to the Commission: the Commission adopt the Findings of Fact (as described in the Findings of Fact, Section A.VII) and Conclusions of Law identified at this property; adopt the agreed order for the commercial structure on this property.

Ordered any necessary permits be secured; permitted work shall not commence prior to obtaining required permits; ordered that the following specific conditions identified to be corrected/abated with final inspections passed within 30 days of the date this Order is mailed to the owner(s); ordered that all repairs, modifications and abatements shall

meet or exceed the requirements of the International Property Maintenance Code and all applicable codes; an engineer's report/letter, certifying the structural stability of the stairs and modified attic areas, with all known and expected loads, shall be required; the owner or owner's representative shall request inspection(s) to verify compliance with all applicable codes; after 30 days, a penalty of \$2500.00 per week shall be assessed until all work required to be completed in 30 days is completed, including vacation of attic area and removal of illegal, un-permitted electric wiring at the same; after 90 days, a penalty of \$2500.00 per week shall be assessed until all work is completed with final inspections passed, including engineer's certification.

A motion to accept the agreed order was made by Commission Member Tim Hill. Commission Member Stacy Kaplowitz seconded. The motion passed with a 7-0-0 vote.

b. CL 2012-045799

817 West 5th Street

Luckeme, LLC

817 West 5th Street is an occupied commercial structure. Travis Central Appraisal District shows that Luckeme, LLC is the property owner. This case was represented by the property owner and their representatives.

The City of Austin Code Compliance found that this property is in violation of the International Property Maintenance Code, adopted by reference in sections 25-12-211 et seq. of the Austin City Code and is therefore a public nuisance and dangerous with substandard conditions.

Staff recommended the following to the Commission: the Commission adopt the Findings of Fact (as described in the Findings of Fact, Section A.VII) and Conclusions of Law identified at this property; ordered any necessary permits be secured; ordered that a licensed master electrician submit a letter to the City of Austin indicating that the electrical system(s) on the property have been checked and are safe and compliant with City Code; the letter shall be submitted to the City of Austin's Code Compliance Department within 5 days of the date this Order is mailed to the owner; after 5 days, a penalty of \$5000.00 per week shall be assessed until the described letter has been submitted.

Ordered that the violations described in the Findings of Fact, Section A.VII, identified at the property located at 817 West 5th Street, shall be repaired with final inspections passed within 60 days of the date this Order is mailed to the owner(s); all repairs or modifications shall meet or exceed the requirements of the International Property Maintenance Code and all applicable codes; an engineer's report/letter, certifying the structural stability of the deck with all known and expected loads shall be required; the owner or owner's representative shall request inspection(s) to verify compliance; after 90 days of the date this Order is mailed to the owner(s), a penalty of \$5000.00 per week shall be assessed until all work is completed with final inspections passed, including engineer's certification.

Ordered as an alternate compliance method, removal/demolition shall be completed within 60 days of the date this Order is mailed to the owner. Any necessary permit(s) shall be secured. The owner or owner's representative shall request inspection(s) to verify compliance. After 90 days, a penalty of \$5000.00 per week shall be assessed until work is completed with final inspections passed.

A motion to accept the agreed order was made by Commission Member David Brown. Commission Member Tim Hill seconded. The motion passed with a 7-0-0 vote.

c. CL 2012-038321

1017 Harwood Place

Barbara Montano

1017 Harwood Place is a single residential structure. Travis Central Appraisal District shows that Barbara Montano is the property owner. This case was represented by the property owner and their representatives.

The City of Austin Code Compliance Department found that this property is in violation of the International Property Maintenance Code adopted by reference in sections 25-12-211 et seq. of the Austin City Code.

Staff recommended the following to the Commission: the Commission adopt the Findings of Fact (as described in the Findings of Fact, Section A.VII) and Conclusions of Law identified at this property; adopt the agreed order for the single family residential structure on this property; ordered that the any necessary permits be secured; ordered that the single family residential structure located on the property be demolished and the lot left in a clean and racked condition within 60 days of the date this Order is mailed to the owner; ordered that all portions of the single family residential structure be removed and that you require the owner or owner's representative to request inspection(s) to verify compliance; if compliance is not achieved within 60 days, the Building Official may proceed with the demolition; after the 60 days, all portions of the single family residential structure, including items in the structure

and on the property will be considered debris and disposed as such. A lien for all expenses incurred by the City of Austin will be filed with the Travis County Deed Records.

A motion to accept the agreed order was made by Commission Member Daniel Gonzalez. Commission Member David Brown seconded. The motion passed with a 7-0-0 vote.

d. CL 2012-046361

2007 Garden Street

Erin and Marvin Jones

2007 Garden Street is an unoccupied single family residential structure. Travis Central Appraisal District records shows Erin and Marvin Jones are the owners of this property. This case was represented by the owner and their representatives.

The City of Austin Code Compliance found that this property is in violation of the International Property Maintenance Code adopted by reference in Sections 25-12-211 et seq. of the Austin City Code and is therefore a public nuisance and dangerous with substandard conditions.

Staff recommended the following to the Commission: the Commission adopt the Findings of Fact (as described in the Findings of Fact, Section A.VII) and Conclusions of Law identified at this property; order any necessary permits be secured; that an order for the residential single family structure located on the property be repaired with final inspections passed within ninety (90) days of the date the Order is mailed to the owner; that all repairs or modifications shall meet or exceed the requirements of all applicable codes; that the owner or owner's representative(s) shall request inspection(s) to verify compliance; and that after thirty (90) days, a penalty of \$250.00 per week shall be assessed until work is completed with final inspections passed.

Ordered as an alternate compliance method of repair, demolition of the structure shall also be deemed as an alternate remedy to achieve compliance with this Order; ordered that the demolition shall be completed within 90 days of the date this Order is mailed to the owner and shall occur under authorization of a demolition permit; all portions of the structure shall be removed, including removal of all associated materials and debris from the property; the owner or owner's representative shall request inspection(s) to verify compliance; and after 90 days, a penalty of \$250.00 per week shall be assessed until work is completed with final inspections passed.

A motion to amend staff's recommended Order was adopted, as follows: the Commission adopt the Findings of Fact (as described in the Findings of Fact, Section A.VII) and Conclusions of Law identified at this property; order any necessary permits be secured; that an order for the residential single family structure located on the property be repaired with final inspections passed within ninety (90) days of the date the Order is mailed to the owner that all repairs or modifications shall meet or exceed the requirements of all applicable codes; that the owner or owner's representative(s) shall request inspection(s) to verify compliance; and that after ninety (90) days, a penalty of \$250.00 per day per violation shall be assessed until work is completed with final inspections passed.

A motion to accept the agreed order was made by Commission Member Steven Alloway. Commission Member David Brown seconded. The motion passed with a 7-0-0 vote.

6. ADJOURNMENT

Chairperson Beebe adjourned the Commission Meeting at 7:55 pm without objection.